

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

RICHARD TERRY AYCOCK	§	
	§	
vs.	§	CIVIL ACTION NO. 6:18cv319
	§	
COMMISSIONER, SOCIAL	§	
SECURITY ADMINISTRATION	§	

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED
STATES MAGISTRATE JUDGE**

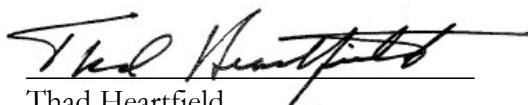
The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation (ECF 20) recommends that the decision of the Commissioner be affirmed and that the complaint be dismissed with prejudice. Plaintiff filed a written objection (ECF 21) on November 13, 2019.

Plaintiff's objection re-asserts the argument presented in his brief that the ALJ failed to explain the weight given to each medical opinion. Plaintiff's written objection does not identify the medical opinion that allegedly was not given weight. In his original brief, however, Plaintiff argued that the ALJ failed to articulate the weight given to Dr. Mount's opinion that Plaintiff's recent memory is impaired. The Report and Recommendation thoroughly explains that the ALJ expressly stated that she relied on Dr. Mount's finding that Plaintiff's recent memory is impaired and incorporated that finding into the residual functional capacity finding. The ALJ expressly considered, accepted, relied upon and included this opinion. Plaintiff's objection is not supported by the record and lacks merit.

Having made a *de novo* review of the objection filed by Plaintiff, the findings, conclusions and recommendation of the Magistrate Judge are correct and Plaintiff's objection is without merit. It is therefore

ORDERED that the Plaintiff's objection is **OVERRULED** and the Report and Recommendation (ECF 20) is **ADOPTED**. The decision of the Commissioner is **AFFIRMED** and this Social Security action is **DISMISSED WITH PREJUDICE**. It is further **ORDERED** that any motion not previously ruled on is **DENIED**.

SIGNED this the 19 day of **November, 2019**.



Thad Heartfield
United States District Judge